IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5075 OF 2005

Sidram Prabhu Chitte ...Applicant
vs.
State of Maharashtra ...Respondent

Mr.V.V.Purwant for the Applicant
Ms M.H.Mhatre,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : AUGUST 22,2005

P.C.:

1. Heard learned Advocate for the Applicant and learned A.P.P. for State. By this application the Applicant is seeking relaxation of condition No. (iii) in order dated 27th June 2005.

2. The case of the Applicant is that the Applicant desires to go abroad for the purposes of exhibition relating to the work of welding in Germany. Today, Affidavit-cum undertaking is filed by the Applicant which is taken on record and marked ‘X’ for identification. In the said Affidavit, the Applicant has stated that he proposes to go abroad from 11th September 2005 and proposes to return on or before 30th September 2005 subject to availability of tickets. The Applicant has stated that as soon as he returns to India, he will re-deposit the passport with the Investigating Officer. The learned Advocate for the Applicant submitted that the passport be ordered to be returned to the Applicant and he may be permitted to travel.

The learned A.P.P. has submitted to the orders of the Court.

3. The Applicant was ordered to be enlarged on anticipatory bail by order dated 27th June 2005. There is nothing placed on record to show that the Applicant has not co-operated with the Invetigating Officer or that he has mis-used the liberty granted to him. Under the circumstances, the Applicant deserves to be granted permission to travel abroad for a limited period.

4. Hence, the application is disposed of by passing the following order :

i) The Investigating Officer will return the passport to the Applicant. The Appliant is permitted to go abroad on 11th September 2005 subject to condition that he will return back to India on or before 1st October 2005.

ii) The Applicant will be permitted to leave India only after he furnishes a copy of detailed programme of his travelling to the Investigating Officer and the addresses and contact numbers of the places where the Applicant proposes to stay while he is abroad.

iii) The Applicant will also furnish his cell phone number to the Investigating Officer before he leaves India.

iv) The undertaking given by the Applicant in the form of Affidavit is accepted. On his return to India the Applicant will surrender his passport to the Investigating Officer within a period of two days from the date of his return.

. It is made clear that the condition No. (iii) incorporated in order dated 27th June 2005 is relaxed only for the period of ensuing visit of the Applicant. After the Applicant returns back to India, condition No.(iii) will continue to operate.

JUDGE